

FILED

FEB 22 2012

CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY  DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA
v.

ILIANA DIAZ [1]

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Case Number: 11CR3293-BTM

KAREN LEHMANN, FEDERAL DEFENDERS, INC.

Defendant's Attorney

REGISTRATION NO. 26974298

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THE DEFENDANT:

☒ pleaded guilty to count(s) 1 OF THE SUPERSEDING INFORMATION

☐ was found guilty on count(s) _____
after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Count Number(s)</u>
31:5332(a);31:5317(c)(1) and 5332(a)(1)and(b)(2)	BULK CASH SMUGGLING AND CRIMINAL FORFEITURE	1

The defendant is sentenced as provided in pages 2 through 3 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) _____
- ☒ Count(s) Underlying Information is ☒ are ☐ dismissed on the motion of the United States.
- ☒ Assessment: \$100.00 to be paid within 6 months.

Pursuant to the motion of the United States under 18 USC 3573, the special assessment provided for under 18 USC 3013 is waived and remitted

- ☒ No fine ☒ Forfeiture pursuant to order filed November 18, 2011, incorporated herein.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

FEBRUARY 3, 2012

Date of Imposition of Sentence


HON. BARRY TED MOSKOWITZ
UNITED STATES DISTRICT JUDGE

11CR3293-BTM

DEFENDANT: ILIANA DIAZ [1]
CASE NUMBER: 11CR3293-BTM


PROBATION

The defendant is hereby sentenced to probation for a term of :

THREE (3) YEARS.

The defendant shall not commit another federal, state, or local crime.

For offenses committed on or after September 13, 1994:


BARRY TED MOSKOWITZ
UNITED STATES DISTRICT JUDGE

The defendant shall not illegally possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter as determined by the court. Testing requirements will not exceed submission of more than 4 drug tests per month during the term of supervision, unless otherwise ordered by court.

☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)

☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.

☒ The defendant shall cooperate in the collection of a DNA sample from the defendant, pursuant to section 3 of the DNA Analysis Backlog Elimination Act of 2000, pursuant to 18 USC sections 3563(a)(7) and 3583(d).

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☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution obligation, it is a condition of probation that the defendant pay any such fine or restitution in accordance with the Schedule of Payments sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the special conditions imposed.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: ILIANA DIAZ [1]
CASE NUMBER: 11CR3293-BTM

SPECIAL CONDITIONS OF SUPERVISION

- ☒ Submit person, residence, office or vehicle to a search, conducted by a United States Probation Officer at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to a search may be grounds for revocation; the defendant shall warn any other residents that the premises may be subject to searches pursuant to t
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- ☐ Not transport, harbor, or assist undocumented aliens.
- ☐ Not associate with undocumented alien smugglers.
- ☐ Not reenter the United States illegally.
- ☒ Not enter the Republic of Mexico without written permission of the Court or probation officer.
- ☒ Report all vehicles owned or operated, or in which you have an interest, to the probation officer.
- ☒ Not possess any narcotic drug or controlled substance without a lawful medical prescription.
- ☒ Not associate with known users of, smugglers of, or dealers in narcotics, controlled substances, or dangerous drugs in any form.
- ☒ Remain in your place of residence for a period of 212 days (240 days minus 28 days custody credit), except while working at verifiable employment, attending religious services, or undergoing medical treatment or any such other reasons approved by the probation officer. The defendant shall be subject to electronic monitoring, not at her expense.
- ☐ Pay a fine in the amount of \$500.00, to be paid within 30 days.
- ☐ Provide complete disclosure of personal and business financial records to the probation officer as requested.
- ☐ Reside in a Residential Reentry Center (RRC) as directed by the probation officer for a period of 120 days at the direction of the Probation Officer.
- ☒ Seek and maintain full time employment and/or schooling or a combination of both.
- ☐ Obtain GED or a High school degree within 12 months.
- ☐ Complete 200 hours of community service in a program approved by the probation officer within 18 Months.
- ☐ Reside in a Residential Reentry Center (RRC) as directed by the probation officer for a period of
- ☐ If the defendant has complied with all conditions of Supervised Probation for 2 Years, Supervised Probation may be terminated on application to the Court and good cause shown.
- ☐ Notify the Collections Unit, United States Attorney's Office, before transferring any interest in any property owned directly or indirectly by him, including any interest held or owned under any other name or entity, including trusts, partnerships or corporations, until fine or restitution is paid in full.